

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at WINCHESTER

BOBBY D. DISHMAN, )  
 )  
 Plaintiff, ) Case No. 4:08-cv-58  
 ) Judge Mattice  
 v. )  
 )  
 MICHAEL J. ASTRUE, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

**ORDER**

United States Magistrate Judge Susan K. Lee filed her report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) on August 11, 2009. [Court Doc. No. 30.] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, Plaintiff's Motion for Summary Judgment [Court Doc. No. 22] is **DENIED**, Defendant's Motion for Summary Judgment [Court Doc. No. 28] is **GRANTED**, the decision of the Commissioner is **AFFIRMED**, and this matter is hereby **DISMISSED**.

**SO ORDERED** this 27<sup>TH</sup> day of August, 2009.

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/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE